United Nations S/PV.6381

Security Council

Sixty-fifth year

Provisional

6381 st meeting

Thursday, 9 September 2010, 11.30 a.m.

New York

President:	Mr. Apakan	(Turkey)
Members:	Austria	Mr. Bühler
	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mr. Moretti
	China	Mr. Wang Min
	France	Mr. Bonne
	Gabon	Mr. Moungara Moussotsi
	Japan	Mr. Nishida
	Lebanon	Mr. Salam
	Mexico	Mr. Puente
	Nigeria	Mr. Lolo
	Russian Federation	Mr. Karev
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Ms. Adams
	United States of America	Ms. DiCarlo

Agenda

Election of a member of the International Court of Justice (S/2010/442, S/2010/443 and S/2010/444)

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The meeting was called to order at 11.50 a.m.

Adoption of the agenda

The agenda was adopted.

Election of a member of the International Court of Justice (S/2010/442, S/2010/443 and S/2010/444)

The President: I should like to recall that, at its 6327th meeting, on 2 June 2010, the Security Council adopted resolution 1926 (2010), by which it decided that the election to fill the vacancy in the International Court of Justice should take place on 9 September 2010 at a meeting of the Security Council and at a meeting of the General Assembly at its sixty-fourth session.

This morning, the Security Council and the General Assembly will proceed independently with the election, in accordance with the relevant provisions of the Statute of the Court, for the purpose of filling the vacancy that occurred on 6 September 2010 owing to the resignation of Judge of the International Court of Justice Mr. Thomas Buergenthal of the United States of America.

The Security Council has before it document S/2010/443, which contains the list of the nominations of a candidate by national groups of States parties to the Statute of the International Court of Justice. Following the deadline for nominations, a nomination of the same candidate was also received from the national group of Colombia.

The Security Council also has before it document S/2010/444, which contains the curriculum vitae of the candidate nominated by the national groups, as well as a memorandum by the Secretary-General (S/2010/442) that describes the present composition of the Court and sets out the procedure to be followed in the conduct of the election.

I should like to remind the Council that, in accordance with Article 10, paragraph 1, of the Statute of the International Court of Justice,

> "Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected."

The required majority in the Security Council is eight votes.

Article 15 of the Statute of the Court provides that

> "A member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term."

Accordingly, the member elected to fill the remainder of the term left vacant by the resignation of Judge Thomas Buergenthal will serve until 5 February 2015.

The Council will now proceed to draw lots to select two delegations to serve as tellers. The delegation of the United States will not be considered to serve as a teller because a candidate of that nationality has been nominated. The delegation of Turkey will also be excluded from serving as a teller because it occupies the presidency of the Council this month.

* * *

The President: The names of the delegations of Bosnia and Herzegovina and Lebanon have been drawn. I request them to appoint one of their members to serve as tellers.

At the invitation of the President, Mr. Vukašinović (Bosnia and Herzegovina) and Mr. Karanouh (Lebanon) acted as tellers.

The President: The voting will be held by secret ballot. When we proceed to the vote, members of the Council will receive a ballot paper containing the name of the candidate. Members of the Council will be requested to place an "X" in the box next to the name of the candidate for whom they wish to vote. Votes may be cast only for a candidate whose name appears on the ballot paper.

I should like to remind members of paragraph 14 of the Secretary-General's memorandum (S/2010/442), which specifies that each elector may vote for only one candidate. Any ballot paper containing votes for more than one name will be considered invalid. When a candidate has obtained the required majority of eight or more votes, I shall communicate the result to the President of the General Assembly, and I shall request the Council to remain in session, pending the receipt from the President of the General Assembly of the result of the voting in the Assembly.

May I take it that the Council is now ready to proceed with the election of a member of the International Court of Justice?

It is so decided.

I request the Conference Officer to distribute the ballot papers.

Members of the Council should place an "X" in the box next to the name of the candidate for whom they wish to vote.

* * *

The President: All the ballot papers have been collected. The tellers will now count the ballots. There will be two independent countings of the ballots, one by each teller.

I propose, with the consent of the Council, to suspend this meeting until the ballots are counted. There being no objection, it is so decided.

The meeting was suspended at 12.05 p.m. and resumed at 12.30 p.m.

The President: The result of the voting is as follows:

Number of ballot papers:	15
Number of invalid ballots:	0
Number of abstentions:	0
Number of valid ballots:	15
Required majority:	8
Number of votes obtained:	
Joan E. Donoghue (United States of America)	15

Accordingly, candidate Joan E. Donoghue has obtained the required majority of votes in the Security Council.

I shall now send a letter to the President of the General Assembly informing him of the result of the voting in the Security Council.

I request the Council to remain in session while we wait for the President of the General Assembly to inform the Council of the result of the voting in the Assembly.

* * *

The President: I should like to inform the members of the Council that I have just received from the President of the General Assembly the following letter:

> "I have the honour to inform you that, at the 118th plenary meeting of the General Assembly, held today for the purpose of electing a member of the International Court of Justice, Ms. Joan Donaghue obtained an absolute majority of votes in the General Assembly."

As both the Security Council and the General Assembly have agreed on the same candidate, Joan E. Donaghue has been elected as a member of the International Court of Justice for the remainder of the term of office of Judge Thomas Buergenthal, that is, until 5 February 2015. I should like to congratulate her and wish her every success in the high office to which she has been elected. I should also like to thank the tellers for their assistance.

The Security Council has thus concluded its business for this meeting.

The meeting rose at 12.35 p.m.